

# Senate File 67 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON REBUILD IOWA  
(SUCCESSOR TO SSB 1075)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to disaster assistance by providing a jumpstart  
2 housing assistance program, disaster aid individual assistance  
3 grants, and community disaster grants, making appropriations,  
4 and providing effective and retroactive applicability dates.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 1877SV 83  
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1 1 DIVISION I  
1 2 JUMPSTART HOUSING ASSISTANCE  
1 3 Section 1. APPROPRIATION.  
1 4 1. There is appropriated from the Iowa economic emergency  
1 5 fund created in section 8.55 to the Iowa finance authority for  
1 6 the fiscal year beginning July 1, 2008, and ending June 30,  
1 7 2009, the following amount, or so much thereof as is  
1 8 necessary, to be used for the purposes designated:  
1 9 For the jumpstart housing assistance program:  
1 10 ..... \$ 24,000,000  
1 11 2. The authority shall adopt rules for the jumpstart  
1 12 housing assistance program consistent with all of the  
1 13 following:  
1 14 a. An eligible resident must have a family income equal to  
1 15 or less than one hundred fifty percent of the area median  
1 16 family income. An application for assistance must be  
1 17 submitted by September 1, 2009.  
1 18 b. Forgivable loans awarded after the effective date of  
1 19 this division of this Act shall be awarded pursuant to the  
1 20 following priorities:  
1 21 (1) First priority shall be given to eligible residents  
1 22 who have not received any moneys under the jumpstart housing  
1 23 assistance program prior to the effective date of this  
1 24 division of this Act.  
1 25 (2) Second priority shall be given to eligible residents  
1 26 who have received less than twenty-four thousand nine hundred  
1 27 ninety-nine dollars under the jumpstart housing assistance  
1 28 program prior to the effective date of this division of this  
1 29 Act.  
1 30 (3) Third priority shall be given to eligible residents  
1 31 who have received twenty-four thousand nine hundred  
1 32 ninety-nine dollars under the jumpstart housing assistance  
1 33 program prior to the effective date of this division of this  
1 34 Act and who continue to have unmet needs for down payment  
1 35 assistance, emergency housing repair or rehabilitation,  
2 1 interim mortgage assistance, or energy efficiency assistance.  
2 2 An eligible resident shall not receive more than an additional  
2 3 twenty-four thousand nine hundred ninety-nine dollars under  
2 4 this subparagraph.  
2 5 c. Except as provided in paragraph "b", subparagraph (3),  
2 6 an eligible resident who meets the area median family income  
2 7 requirement shall not receive more than twenty-four thousand  
2 8 nine hundred ninety-nine dollars under the program.  
2 9 3. Notwithstanding section 8.33 and section 8.55,  
2 10 subsection 3, paragraph "a", moneys appropriated in this  
2 11 section that remain unencumbered or unobligated at the close  
2 12 of the fiscal year shall not revert but shall remain available  
2 13 for expenditure for the purposes designated until the close of  
2 14 the succeeding fiscal year.

2 15 Sec. 2. EMERGENCY RULES. The authority may adopt  
2 16 emergency rules under section 17A.4, subsection 3, and section  
2 17 17A.5, subsection 2, paragraph "b", to implement the  
2 18 provisions of this division of this Act and the rules shall be  
2 19 effective immediately upon filing unless a later date is  
2 20 specified in the rules. Any rules adopted in accordance with  
2 21 this section shall also be published as a notice of intended  
2 22 action as provided in section 17A.4.

2 23 Sec. 3. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.  
2 24 This division of this Act, being deemed of immediate  
2 25 importance, takes effect upon enactment and applies  
2 26 retroactively to September 1, 2008, and is applicable on and  
2 27 after that date.

#### 2 28 DIVISION II

#### 2 29 IOWA UNMET NEEDS DISASTER GRANT PROGRAM

2 30 Sec. 4. IOWA UNMET NEEDS DISASTER GRANT PROGRAM ==  
2 31 APPROPRIATION.

2 32 1. There is appropriated from the Iowa economic emergency  
2 33 fund created in section 8.55 to the department of human  
2 34 services for the fiscal year beginning July 1, 2008, and  
2 35 ending June 30, 2009, the following amount, or so much thereof  
3 1 as is necessary, to be used for the purposes designated:

3 2 For providing individual disaster grants for unmet needs  
3 3 pursuant to the requirements in this section:

3 4 ..... \$ 10,000,000

3 5 2. From the moneys appropriated in this section, there is  
3 6 transferred to the department of human rights two hundred  
3 7 fifty thousand dollars for deposit in the individual  
3 8 development account state match fund created in section  
3 9 541A.7. Notwithstanding other provisions to the contrary in  
3 10 section 541A.3, subsection 1, moneys appropriated to the  
3 11 individual development account state match fund under this  
3 12 subsection shall be used to provide the state match to account  
3 13 holders affected by a natural disaster occurring in 2008 for  
3 14 which the president of the United States declared a disaster  
3 15 area, and who have a household income that is equal to or less  
3 16 than three hundred percent of the federal poverty level as  
3 17 defined by the most recently revised poverty income guidelines  
3 18 published by the United States department of health and human  
3 19 services.

3 20 3. The department of human services shall establish and  
3 21 administer an Iowa unmet needs disaster grant program for  
3 22 purposes of reimbursing expenses for unmet needs for persons  
3 23 located in an area which was declared a disaster area by the  
3 24 president of the United States due to a disaster occurring  
3 25 after May 24, 2008, and before August 14, 2008.

3 26 4. Determination of eligibility under the program and  
3 27 certification of unmet needs under the program shall be made  
3 28 by area long-term disaster committees and the disaster  
3 29 recovery case management program established by the rebuild  
3 30 Iowa office. An eligible participant shall receive  
3 31 reimbursement for expenses upon presenting a receipt for an  
3 32 eligible unmet need or shall receive a voucher through a  
3 33 voucher system administered jointly by the department of human  
3 34 services and the area long-term disaster committees. The  
3 35 voucher system shall ensure sufficient data collection to  
4 1 discourage and prevent fraud. A grant recipient shall not  
4 2 receive more than two thousand five hundred dollars per  
4 3 household. A grant recipient must have an income that is  
4 4 equal to or less than three hundred percent of the federal  
4 5 poverty level based on the number of people in the household  
4 6 of the recipient as defined by the most recently revised  
4 7 poverty income guidelines as published by the United States  
4 8 department of health and human services. Unmet needs disaster  
4 9 grants shall not supplant any other financial support,  
4 10 assistance, or grants provided by any other federal or state  
4 11 government, nonprofit agency, or faith-based agency.

4 12 5. Unmet need expenses eligible for reimbursement shall be  
4 13 limited to expenses associated with personal property, home  
4 14 repair, food assistance, mental health assistance, child care,  
4 15 and temporary housing.

4 16 6. An area long-term disaster committee shall be  
4 17 reimbursed for administrative expenses incurred in an amount  
4 18 not to exceed three percent of the grant moneys awarded for  
4 19 the area pursuant to an intergovernmental agreement to be  
4 20 established between the department of human services and the  
4 21 agency of record responsible for the long-term disaster  
4 22 committee in each area. The department of human services  
4 23 shall not be reimbursed for using moneys appropriated in this  
4 24 section for administrative costs associated with administering  
4 25 the Iowa unmet needs disaster grant program.

4 26 7. Notwithstanding section 8.33 and section 8.55,  
4 27 subsection 3, paragraph "a", moneys appropriated in this  
4 28 section that remain unencumbered or unobligated at the close  
4 29 of the fiscal year shall not revert but shall remain available  
4 30 for expenditure for the purposes designated until the close of  
4 31 the succeeding fiscal year.

4 32 Sec. 5. EMERGENCY RULES. The department of human services  
4 33 may adopt emergency rules under section 17A.4, subsection 3,  
4 34 and section 17A.5, subsection 2, paragraph "b", to implement  
4 35 the provisions of this division of this Act and the rules  
5 1 shall be effective immediately upon filing unless a later date  
5 2 is specified in the rules. Any rules adopted in accordance  
5 3 with this section shall also be published as a notice of  
5 4 intended action as provided in section 17A.4.

5 5 Sec. 6. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.  
5 6 This division of this Act, being deemed of immediate  
5 7 importance, takes effect upon enactment, is retroactively  
5 8 applicable to May 24, 2008, and is applicable on and after  
5 9 that date.

### 5 10 DIVISION III

#### 5 11 COMMUNITY DISASTER GRANTS

5 12 Sec. 7. COMMUNITY DISASTER GRANTS == APPROPRIATION.

5 13 1. There is appropriated from the Iowa economic emergency  
5 14 fund created in section 8.55 to the department of public  
5 15 defense for the homeland security and emergency management  
5 16 division for the fiscal year beginning July 1, 2008, and  
5 17 ending June 30, 2009, the following amount, or so much thereof  
5 18 as is necessary, to be used for the purposes designated:

5 19 For providing community disaster grants to cities and  
5 20 counties:

5 21 ..... \$ 22,000,000

5 22 2. a. Using moneys appropriated under this section, the  
5 23 homeland security and emergency management division shall  
5 24 award grants to cities and counties based on their pro rata  
5 25 share of damage costs associated with presidential disaster  
5 26 declaration DR=1763=IA occurring after May 24, 2008, and  
5 27 before August 14, 2008, as calculated by obligated funds from  
5 28 the federal emergency management agency individual assistance  
5 29 program and small business administration disaster loan  
5 30 program as of the effective date of this division of this Act.  
5 31 Every city or county in a disaster area shall receive at least  
5 32 two thousand dollars.

5 33 b. Moneys awarded pursuant to this section shall be used  
5 34 by the recipient for disaster-related costs not otherwise  
5 35 funded by federal or nonfederal sources and for any of the  
6 1 following purposes:

6 2 (1) Nonprofit organization assistance.

6 3 (2) Assistance for the public purchase of land and  
6 4 accompanying structures if financial assistance for such  
6 5 purchases is not available from the federal emergency  
6 6 management agency or when a nonfederal match is required for a  
6 7 grant involved in the public purchase of land and accompanying  
6 8 structures.

6 9 (3) Assistance for the repair, replacement, or upgrade of  
6 10 public infrastructure damaged by the disaster including  
6 11 measures to assist in the mitigation of future damage due to  
6 12 natural disasters.

6 13 (4) Assistance for increased costs associated with the  
6 14 revaluation and assessment of property due to a natural  
6 15 disaster occurring in 2008.

6 16 (5) Small business assistance.

6 17 (6) Assistance for the replacement or rehabilitation of  
6 18 housing.

6 19 3. Immediately following the effective date of this  
6 20 division of this Act, the homeland security and emergency  
6 21 management division shall notify each eligible recipient of  
6 22 the availability of funds and the associated application  
6 23 process.

6 24 4. By April 1, 2009, an eligible grant recipient under  
6 25 this section must submit a written application in the form as  
6 26 specified by the homeland security and emergency management  
6 27 division. The application shall contain information on the  
6 28 recipient's proposed uses of the moneys and any other  
6 29 information required by the homeland security and emergency  
6 30 management division.

6 31 5. After April 1, 2009, any funds allocated to an eligible  
6 32 grant recipient who does not complete and submit an  
6 33 application by April 1, 2009, shall be awarded on a pro rata  
6 34 basis as defined in subsection 2, paragraph "a".

6 35 6. By January 1, 2010, each grant recipient under this  
7 1 section shall submit a written report to the homeland security

7 2 and emergency management division specifying the allocation  
7 3 and uses of moneys received pursuant to this section. By  
7 4 January 8, 2010, the division shall compile and forward copies  
7 5 of all reports received to the governor and the general  
7 6 assembly.

7 7 7. The department of public defense may request the  
7 8 auditor of state to perform any audits needed in the  
7 9 administration of this division of the Act and reimburse the  
7 10 auditor of state for the costs of the audits.

7 11 8. Notwithstanding section 8.33 and section 8.55,  
7 12 subsection 3, paragraph "a", moneys appropriated in this  
7 13 section that remain unencumbered or unobligated at the close  
7 14 of the fiscal year shall not revert but shall remain available  
7 15 for expenditure for the purposes designated until the close of  
7 16 the succeeding fiscal year.

7 17 Sec. 8. EMERGENCY RULES. The department of public defense  
7 18 may adopt emergency rules under section 17A.4, subsection 3,  
7 19 and section 17A.5, subsection 2, paragraph "b", to implement  
7 20 the provisions of this division of this Act and the rules  
7 21 shall be effective immediately upon filing unless a later date  
7 22 is specified in the rules. Any rules adopted in accordance  
7 23 with this section shall also be published as a notice of  
7 24 intended action as provided in section 17A.4.

7 25 Sec. 9. EFFECTIVE DATE. This division of this Act, being  
7 26 deemed of immediate importance, takes effect upon enactment.

7 27 DIVISION IV  
7 28 REBUILD IOWA OFFICE

7 29 Sec. 10. REBUILD IOWA OFFICE.

7 30 1. A rebuild Iowa office is created for purposes of  
7 31 coordinating the state activities associated with the  
7 32 rebuilding efforts following the declaration of a disaster  
7 33 area by the president of the United States after May 24, 2008,  
7 34 and before June 30, 2011. The homeland security and emergency  
7 35 management division of the department of public defense shall  
8 1 provide administrative support to the rebuild Iowa office.

8 2 2. The rebuild Iowa office shall be administered by an  
8 3 executive director who shall be appointed by the governor and  
8 4 confirmed by the senate pursuant to section 2.32. The  
8 5 executive director shall annually compile a comprehensive  
8 6 budget which reflects all fiscal matters related to the  
8 7 operation of the office and each activity of the office in  
8 8 accordance with section 8.23.

8 9 3. The rebuild Iowa office shall do all of the following:

8 10 a. Enter into contracts.

8 11 b. Receive intradepartmental and interdepartmental  
8 12 transfers of moneys pursuant to section 8.39.

8 13 c. Perform all other lawful actions consistent with the  
8 14 purposes and duties of the office.

8 15 d. Establish and pursue short-term priorities for recovery  
8 16 and long-term plans for redevelopment.

8 17 e. Establish federal and state goals for the recovery and  
8 18 rebuilding efforts and coordinate such efforts among  
8 19 governmental entities to implement the goals.

8 20 f. Identify funding sources and innovative financing  
8 21 alternatives to adequately fund recovery and redevelopment.

8 22 g. Assist in establishing guidelines for the disbursing of  
8 23 federal moneys.

8 24 h. Establish goals, benchmarks, and objectives by which  
8 25 progress in disaster recovery and long-term reconstruction can  
8 26 be measured. Such goals, benchmarks, and objectives shall  
8 27 include, but not be limited to, all of the following:

8 28 (1) Measures on returning displaced residents to permanent  
8 29 homes.

8 30 (2) Progress on economic restoration in disaster areas  
8 31 such as opening or reopening of businesses, employment, and  
8 32 sales tax receipts.

8 33 (3) Progress on the public purchase of land and  
8 34 accompanying structures both with and without financial  
8 35 assistance from the federal emergency management agency.

9 1 (4) Progress on natural disaster forecasting, watershed  
9 2 management, and floodplain management.

9 3 (5) Measures on the expediency of obligation and  
9 4 distribution of federal and state moneys for disaster  
9 5 recovery.

9 6 i. Provide a means for members of the general public, the  
9 7 business community, nonprofit organizations, communities, and  
9 8 other stakeholders to have input regarding the recovery  
9 9 process.

9 10 j. Provide state and local government with guidance for  
9 11 long-term recovery and redevelopment after a disaster.

9 12 k. By January 10, April 10, July 10, and October 10 of

9 13 each year, as applicable, submit a written report to the  
9 14 governor and the general assembly regarding the activities of  
9 15 the office during the previous three months. The report shall  
9 16 include an updated budgetary and financial analysis including  
9 17 full-time equivalent positions, and progress in obtaining  
9 18 goals, benchmarks, and objectives established pursuant to  
9 19 paragraph "h".

9 20 1. By January 1, 2011, submit a written report to the  
9 21 governor and the general assembly identifying for  
9 22 consideration transition issues for disaster recovery  
9 23 assistance due to the elimination of the office on June 30,  
9 24 2011.

9 25 4. a. A coordinating council is established to facilitate  
9 26 communication between state agencies and the rebuild Iowa  
9 27 office. The rebuild Iowa office shall provide staffing for  
9 28 the council and the executive director of the rebuild Iowa  
9 29 office shall serve as the chairperson. The members of the  
9 30 council shall not receive a per diem and shall not be  
9 31 reimbursed for their actual and necessary expenses while in  
9 32 attendance at any meeting of the council and shall not be  
9 33 reimbursed for their expenses for going to and from a meeting.  
9 34 Legislative members of the commission shall not receive per  
9 35 diem or reimbursement for necessary travel and actual expenses  
10 1 pursuant to section 2.10 or 2.12.

10 2 b. The council shall consist of the director, or the  
10 3 director's designee, of all of the following:

- 10 4 (1) The department of economic development.
- 10 5 (2) The Iowa finance authority.
- 10 6 (3) The department of human services.
- 10 7 (4) The department of education.
- 10 8 (5) The department of cultural affairs.
- 10 9 (6) The college student aid commission.
- 10 10 (7) The department of public health.
- 10 11 (8) The department of workforce development.
- 10 12 (9) The department of public defense, homeland security  
10 13 and emergency management division.
- 10 14 (10) The board of regents.
- 10 15 (11) The department of transportation.
- 10 16 (12) The department of natural resources.
- 10 17 (13) The department of management.
- 10 18 (14) The department of elder affairs.
- 10 19 (15) The department of agriculture and land stewardship.
- 10 20 (16) The office of energy independence.
- 10 21 (17) The Iowa utilities board.
- 10 22 (18) One representative of the Iowa league of cities  
10 23 appointed by the league.
- 10 24 (19) One representative of the Iowa state association of  
10 25 counties appointed by the association.
- 10 26 (20) One representative of a council of governments  
10 27 appointed by the governor.
- 10 28 (21) Four members of the general assembly serving as ex  
10 29 officio, nonvoting members, one representative to be appointed  
10 30 by the speaker of the house of representatives, one  
10 31 representative to be appointed by the minority leader of the  
10 32 house of representatives, one senator to be appointed by the  
10 33 president of the senate after consultation with the majority  
10 34 leader of the senate, and one senator to be appointed by the  
10 35 minority leader of the senate.

11 1 c. The executive director of the rebuild Iowa office may  
11 2 request representation on the council from other state  
11 3 agencies.

11 4 5. All state agencies shall, to the greatest extent  
11 5 practicable, cooperate with and provide support to the rebuild  
11 6 Iowa office.

11 7 6. This section is repealed June 30, 2011.

11 8 Sec. 11. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

11 9 This division of this Act, being deemed of immediate  
11 10 importance, takes effect upon enactment, applies retroactively  
11 11 to June 27, 2008, and applies on and after that date.

11 12 EXPLANATION

11 13 This bill relates to disaster assistance.

11 14 DIVISION I. This division of the bill appropriates from  
11 15 the Iowa economic emergency fund to the Iowa finance authority  
11 16 for FY 2008=2009 \$24 million for the jumpstart assistance  
11 17 program. The division provides that, under the program, an  
11 18 eligible resident must have a family income equal to or less  
11 19 than 150 percent of the area median family income and an  
11 20 application for assistance must be submitted by September 1,  
11 21 2009. The division provides a prioritization system for  
11 22 eligible residents. The division takes effect upon enactment  
11 23 and is retroactively applicable to September 1, 2008, and is

11 24 applicable on and after that date.

11 25 DIVISION II. This division of the bill appropriates from  
11 26 the Iowa economic emergency fund to the department of human  
11 27 services for FY 2008=2009 \$10 million for providing individual  
11 28 disaster grants for unmet needs. The division requires the  
11 29 department to establish and administer an Iowa unmet needs  
11 30 disaster grant program for purposes of reimbursing expenses  
11 31 for unmet needs for persons located in an area which was  
11 32 declared a disaster area by the president of the United States  
11 33 due to a disaster occurring after May 24, 2008, and before  
11 34 August 14, 2008. The division provides that assistance is  
11 35 provided through both a reimbursement method and a voucher  
12 1 system for eligible unmet needs. A recipient is prohibited  
12 2 from receiving more than \$2,500 per household and income level  
12 3 restrictions are part of the eligibility criteria. Eligible  
12 4 unmet need expenses are limited to expenses associated with  
12 5 personal property, home repair, food assistance, mental health  
12 6 assistance, child care, and temporary housing.

12 7 From the moneys appropriated in this division, \$250,000 is  
12 8 transferred to the department of human rights for deposit in  
12 9 the individual development account state matching fund. The  
12 10 division requires the moneys to be used to provide the state  
12 11 match to account holders affected by a natural disaster  
12 12 occurring in 2008 for which the president of the United States  
12 13 declared a disaster area, and who meet certain income levels.  
12 14 The division takes effect upon enactment and is  
12 15 retroactively applicable to May 24, 2008, and is applicable on  
12 16 and after that date.

12 17 DIVISION III. This division of the bill appropriates from  
12 18 the Iowa economic emergency fund to the department of public  
12 19 defense for the homeland security and emergency management  
12 20 division for FY 2008=2009 \$22 million for providing community  
12 21 disaster grants to cities and counties. The division requires  
12 22 the appropriated moneys to be awarded in the form of grants to  
12 23 cities and counties based on their pro rata share of damage  
12 24 costs associated with presidential disaster declaration  
12 25 DR=1763=IA occurring after May 24, 2008, and before August 14,  
12 26 2008, as calculated by obligated funds from the federal  
12 27 emergency management agency individual assistance program and  
12 28 small business administration disaster loan program. The  
12 29 division requires that recipients use the grants for  
12 30 disaster-related costs not otherwise funded by federal or  
12 31 nonfederal sources and for certain specified purposes. The  
12 32 division provides reporting requirements for cities and  
12 33 counties to report the allocation and uses of the grant  
12 34 moneys.

12 35 The division takes effect upon enactment.

13 1 DIVISION IV. This division creates a rebuild Iowa office  
13 2 for purposes of coordinating the state activities associated  
13 3 with the rebuilding efforts following the declaration of a  
13 4 disaster area by the president of the United States after May  
13 5 24, 2008, and before June 30, 2011. The division provides  
13 6 duties for the office including reporting requirements. The  
13 7 division establishes a coordinating council to facilitate  
13 8 communication between state agencies and the rebuild Iowa  
13 9 office. The division requires all state agencies, to the  
13 10 greatest extent practicable, to cooperate with and provide  
13 11 support to the rebuild Iowa office. The rebuild Iowa office  
13 12 is eliminated on June 30, 2011.

13 13 The division takes effect upon enactment and is  
13 14 retroactively applicable to June 27, 2008, and applies on and  
13 15 after that date.

13 16 LSB 1877SV 83

13 17 tm/rj/5